



**PARK CITY COUNCIL MEETING MINUTES
445 MARSAC AVENUE
PARK CITY, UT 84060
SUMMIT COUNTY, UTAH**

December 17, 2015

The Council of Park City, Summit County, Utah, met in open meeting on December 17, 2015, at 2:30 p.m., in the City Council Chambers

Council Member Simpson moved to close the meeting to discuss property. Council Member Peek seconded the motion. Motion carried.

CLOSED SESSION

The City Council met in Closed Session at 2:33 p.m. Council Members in attendance: Mayor Jack Thomas, Andy Beerman, Tim Henney, Cindy Matsumoto, Dick Peek, and Liza Simpson. Staff Members Present: Diane Foster, City Manager; Mark Harrington, City Attorney; Matt Dias, Assistant City Manager; Tom Daley, Deputy City Attorney; Clint McAfee and Jason Christensen, Public Utilities; and Nate Rockwood, Budget Director. Others in attendance included Council Members-Elect Becca Gerber and Nann Worel.

Council Member Peek moved to adjourn from closed meeting. Council Member Beerman seconded the motion. Motion carried.

WORK SESSION

Council Questions and Comments:

Two short videos were shown as a tribute to departing Council Members Peek and Simpson. Council Member Henney also presented them with ugly holiday sweaters. A holiday video was shown as well.

Council Member Matsumoto stated she went to tour the Children's Justice Center with Council Member Henney and Council Member-Elect Gerber, and indicated it was nice to see the work being done and the situation that the staff is placed in.

Council Member Beerman thanked Human Resources for the great City holiday party. He thanked Alfred Knotts, Transportation, and Ann Ober, Sustainability, for their work with Mountain Accord, and indicated the Mountain Accord Executive Board funded the I-80 Corridor Study. He thanked Mark Harrington for hosting the Council dinner at his house. He also expressed gratitude to Council Members Peek and Simpson for making

him feel at home when he came aboard four years ago. Council Member Beerman stated Council Member Simpson would be missed - she gave the job her all, and humanized the process, fighting for staff and those underrepresented in the community. He also thanked her for challenging him to consider all sides of the issues.

Council Member Henney echoed Council Member Beerman's comments, stating it was a pleasure to serve with Council Members Peek and Simpson, and that he looked to them as role models. He indicated he had attended a Historic Park City Alliance (HPCA) meeting, where the Brew Pub property was discussed, and he noted that Sandra Morrison was elected as the new HPCA president.

Mayor Thomas thanked the outgoing Council members for their efforts as well. He stated they both added a lot to the community, and he was honored to be part of the Council with them. He indicated that he went to the City holiday party and Mark Harrington's party for the Council. He attended a Promise Partnership Regional Council (PPRC) function in Salt Lake City, comprised of educators, mayors and other elected officials, where giving children who live in poverty the hope to empower themselves through education was discussed. He also attended the Parley's Park Elementary after-school program event, where he saw Sebastian Saucedo, REAL Salt Lake midfielder, who used to go to McPolin Elementary.

Council Member Peek thanked Harrington for hosting a great party, and noted the City party was also great. He reminisced that when he was first elected, packets were very thick. Now, they were manageable but the issues had become more complex. He stated it was nice to help lead the community forward and now pass the torch on to the next leaders.

Council Member Simpson thanked the community for being able to serve them, and stated it had been an incredible experience. It was awesome working with Council and staff and it had been an honor to be part of this team.

1. Park City Heights Annual Check In:

Rhoda Stauffer, Affordable Housing Specialist, and Troy Goff, project manager for Ivory Homes presented this issue. It was indicated there were ten homes under construction that were deed restricted. Stauffer showed a PowerPoint presentation on the progress made with this affordable housing project. Goff stated two homes should be ready beginning in February, with more following. He stated Ivory Homes was committed to the affordable housing component of this project.

Council Member Matsumoto asked if future affordable units would be priced higher if it took a few years to build them all. Stauffer stated there could be a slight increase in price, but not much. Part of getting an approval each year would be keeping the pricing down. Council Member Matsumoto asked when the applications for these affordable homes would be sent out. Goff stated when the home was 30 days from occupancy,

Ivory Homes would send notices to those on the waiting list, so they could tour the homes and would know what they would be buying. Council Member Beerman asked how buyers would be selected. Goff stated he would verify that the applicant's employment was within Park City School District boundaries. He would also utilize a ranking system based on how many years each applicant had worked in Park City. It was indicated that preference would be given to IHC Hospital employees. Council Member Peek asked if tracking would continue on employment after the buyer closed on the home. Goff stated no tracking would take place after the purchase was completed. Council Member Simpson suggested starting the selection process now. She also inquired how much these units would cost.

Mayor Thomas stated there was anticipation for this project, so he encouraged Goff to get numbers to the Council as quickly as possible. Goff passed out a handout with some cost estimates (which are attached to these minutes). Council Member Matsumoto asked if all of these units could potentially go to IHC staff. Goff stated three to four units out of the 10 units built in the first phase might be allocated to IHC staff, and other applicants would be considered for the other six or seven units. It was indicated that there was no income requirement to qualify for these home, but one requirement was that no other property could be owned by an applicant buying one of these affordable homes.

2. Monthly Energy Update-Road Map:

Ann Ober and Matt Abbott with Sustainability presented this topic. They looked at four tactics, focusing on energy efficiency, technology, renewables and offsets. Ober stated technology was changing quickly and so the City would wait for that. She stated offsets would be needed in order to reach the 2022 City goal, like using open space to offset carbon use. She hoped to decrease RECs and increase renewables.

Abbott stated a long-term approach to reach this goal would include gathering data through communication. He noted they would be meeting with the City departments to talk about goals. Ober stated the work that needed to be done included putting together the foundation work for a Climate Action Plan, and writing department-specific action plans, which should be completed by January. Also, they noted utility scale renewables needed to start today in order to reach the City's 2022 goal. Ober and Abbott indicated they would be attending some Rocky Mountain Power meetings to brainstorm ideas.

Council Member Beerman asked how the City could incorporate the Georgetown Energy Prize. Abbott stated that as a municipal body, fantastic progress had been made towards meeting this goal, but continued marketing to the community would be a priority and re-commissioning some City buildings could also help.

Council Member Henney asked what the school district was doing as far as energy conservation. Abbott stated the school district committed today to reduce their energy usage. Ober noted North Summit and South Summit had done exceptional jobs with

energy conservation. Council Member Peek suggested including the impact to this goal in future Council staff reports. It was indicated that this would be implemented as a part of all future staff reports to the Council.

3. Consideration of the Preliminary Design Concept for the Main Street Plaza (Brew Pub)(Council member Beerman recused himself for adjacent business ownership previously disclosed):

Jonathan Weidenhamer, Economic Development Manager, with Craig Vickers and others from GSBS, presented this topic. Weidenhamer summarized the goals for this plaza and noted the presentation at the November 19th meeting, where three options were presented. He reviewed different costs associated with the different features of these plans. He stated he would bring this item back for the January 7th meeting, and then GSBS would return for the January 14th meeting to discuss what amenities should be a priority.

The Council agreed that the ice was not a priority, and the parking problem in the area might be resolved by adding a level to China Bridge. Council Member Matsumoto stated the City should receive public input on having 48 parking spaces or having a plaza. The Council favored the cut through from Swede Alley to Main Street, although there was discussion on making it a one way street or a pedestrian pathway.

Mayor Thomas opened the meeting for public comment.

Mark Stammer stated he developed three properties on Main Street, including the No Name Saloon. He stated the Brew Pub property was worth \$3 million. He hoped the City would keep this project simple or scrapping the project altogether and selling the property.

Ken Davis indicated he owned two properties on Main Street. When he saw the plans for this project, he hoped for something good for the community. Now it frightened him. He referred to the Park Silly Event where the original plan changed from being a craft/farmers market to vendors selling all sorts of things, which takes business away from other businesses. He didn't want to lose parking spaces and felt less parking would harm the merchants in town. Instead, he suggested selling the parcel and investing in an aerial transportation system up and down Main Street.

Steve McCombs asserted he liked the Swede Alley cut through. He asked if an appraisal had been done for this parcel. Weidenhamer stated an appraisal had not been done since 2012. McCombs was in favor of the City selling the property. He also stated Main Street could not accommodate all the vehicles, and suggested installing loading zones for limos, taxis and hotel vans.

Mark Anderson, HPCA, indicated this project had been studied since 2010. This area needed open space. The HPCA first considered constructing a plaza in the post office

space, but that would only accommodate small groups. He felt this Brew Pub space could accommodate large groups and was needed. He was in favor of the cut from Swede Alley to Main Street, and suggested it be made a one-way street. He thought the planning team should go with Option One with another deck of parking.

Jeff Atkinson, 230 Swede Alley, stated he liked the idea of having a park at this location. He supported getting rid of the ice and parking, and keeping it simple and cost effective.

Doug Stevens, 449 Main Street and 146 Main Street, stated that this was an opportunity to bring something to the historic district. He thought road realignment should be a priority. He also felt the transportation companies were becoming an annoyance and some resolution to that problem should be considered.

Bill Humbert, Park City resident, stated this project should be a simple design. He agreed with Mayor Thomas that the cut through should be pedestrian oriented. He asked the Council to keep their focus on City goals.

Theo Leonard, Treasure Mountain Inn, stated the reasons for this plaza was to preserve open space and parking, and the Council shouldn't be scared off by the price tag. She agreed with eliminating the ice rink, but indicated this could be an elegant open space with covered parking.

Mayor Thomas closed the public comment portion of the meeting. Diane Foster asked if the Council would like GSBS to come back with new options: one without parking, one with no ice, parking on China Bridge, etc. Council Member Simpson stated the plaza needed to be brought up to the Main Street level, so something needed to be done underneath. Council Member Matsumoto stated when the Main Street improvement project began, the Brew Pub Plaza project was deferred, but she was not ready to give it to the public sector yet. She agreed that it needed to be at street level, and acknowledged that there was support for the cut through.

Weidenhamer stated they would come back on January 14th with tweaks to the options based on the feedback received tonight. Council Member Peek indicated he also favored a street level plaza. He thought there was room on China Bridge to build another level, and also noted his preference to eliminate the parking, soils and ice. Council Member Henney stated he would like to see a bare minimum option for this project. Council Member Peek stated restrooms would be important for that area as well. Mayor Thomas felt it was imperative that this project would have a relationship with Main Street, and parking needed to be considered.

GSBS representatives stated they went through the process of listening to the stakeholders, and these options showed many possibilities for the area. Now they would put together what each element would mean for this site. They indicated they wanted to

do what was best for Park City. Council Member Henney stated he would like to hear what the position of HPCA was for this property.

4. Possible Amendments to the Animal Control Ordinance:

Mayor Thomas stated this was the first meeting on the Animal Control Ordinance, and other meetings on this issue would follow. Heinrich Deters, Sustainability, Clay Coleman from Summit County Animal Control, Brian Bellamy, Summit County Human Resources and Kim Carson, Summit County Council, were present for this discussion. Deters stated he drafted a staff report and needed to ask the Council five questions: Does the Council wish to amend the City Municipal Code to simply remain consistent with Summit County? Does the Council wish to direct staff to propose additional areas for "off-leash" use? Does the Council wish to create a special task force in which to explore off-leash or prohibited/sensitive areas or utilize the Recreation Advisory Board (RAB) and local stakeholders consistent with past dog related requests? Does the Council want a briefing from the County task force in conjunction with future public input? Does the Council want a specific increased level of service request discussion/analysis for the City's and/or County's budget process? Deters indicated that it seemed that the community was asking for clarity on the ordinance. Also, the community wanted options for off-leash parks. Some residents wanted to see off-leash areas, some wanted more enforcement, and others didn't know that the City and County had different Animal Control ordinances. The County recently created a task force and provided recommendations to the County Council, and some changes to the County ordinance were made, specifically designating off-leash areas for dogs. The RAB proposed Library Field and Quinn's Dog Park as possible off-leash locations. Deters also stressed that Park City and Summit County would need to coordinate and combine resources for education and enforcement, and noted that there is currently a memorandum of understanding with Summit County Animal Control.

Kim Carson stated the County Council was eager to work with the City Council and they wanted to support the City, especially with regard to the possibility of developing off-leash areas. She thought there needed to be strong enforcement on trailheads and off-leash areas because this was where most of the problems occurred.

Council Member Simpson asked why the County did not implement a dog tag for off-leash areas. Carson stated the dogs would need to be certified that they met the requirements of being well behaved, and the County didn't have sufficient staff to implement that. Council Member Matsumoto stated the City was growing and rules needed to be in place. She felt there was a big need for off-leash parks in town, and she knew the City and County needed to work together. Carson stated whether or not areas were designated as off-leash, the County would help with enforcement. Council Member Henney stated there needed to be on-leash areas and off-leash areas. He asked if off-leash areas had to be fenced. Deters stated small areas needed to be fenced, but some large areas would not need to be fenced. He was in favor of designating both on-leash and off-leash areas.

Council Member Simpson agreed with Council Member Henney and encouraged all pet owners to show kindness. Council Member Beerman agreed as well and thanked the task force for their hard work. Council Member Peek agreed with the other Council members, and wanted to hear from the audience.

Mayor Thomas opened the meeting for public comments.

Steve Joyce stated the leash law was fine as set forth. Many dogs were not well behaved. He knew a priority was alleviating traffic on 224 and 248 and adding Round Valley as a location for off-leash dogs would make traffic more congested. He thought an off-leash area was needed in town for people to take their dogs.

Jency Plumber suggested having dogs that don't like being approached by other dogs wear a yellow neckerchief, and people that don't like dogs could carry them as well so dog owners would know to reign in their dogs. She stated the County only had on-leash areas for dogs. She wanted in-town dog parks, and suggested having off-leash parks in the County and provide on-leash parks the closer one gets to town.

Bart Nichols liked what he heard from the Council. He wanted fair and equitable access to the trails for all, and suggested defining high and low enforcement areas. He also listed some possible rules of enforcement.

John Pollard stated he came to a Council meeting a while ago with pictures of elk, and stressed the need for open space. He indicated that dogs have not had a negative effect on wildlife in open areas.

Andrew Cesati agreed with Council Member Beerman and knew the problem was with accountability. He hoped to get to the source of the problem. He felt leashing dogs near trailheads was important. He noticed dog poop on Library Field and the Rail Trail, and hoped to change the behavior of the dog owner by requiring that bags be tied to dog leashes. Having dog owners sign an oath was another suggestion.

Rick Noel, resident of Park Meadows, suggested that the City allow leashed dogs on buses.

Samantha Bednar, dog trainer, agreed with the comments offered tonight. She would like clarification on e-collars, and asked if an e-collar exempted the owner from needing a leash. Carson stated Samantha served on the County task force.

Rich Coen indicated he was amazed that the City had gotten to this point. He lived here for 18 years and dogs used to be lying around in the post office. He couldn't believe a small portion of the community had turned the laws. He related an experience with

Animal Control with regard to his dog, and requested that the laws not penalize good behavior.

Bill Humbert, Park Meadows, stated he was on the Leash Law Task Force as well. He had to ask himself questions such as what if he was allergic to dogs, scared of dogs, etc. He stated dog owners needed to take responsibility so people could go places without being afraid. He also thought all dog parks needed to be fenced.

Peter Tamiy, 20 year resident, stated the City needed to keep dogs in Park City. Big dogs needed exercise and couldn't get that in small areas. Educating people to be responsible dog owners was also needed, as well as being sensitive to those that were afraid of dogs.

REGULAR MEETING

I. Roll Call

Attendee Name	Title	Status	Arrived
Jack Thomas	Mayor	Present	
Andy Beerman	Council Member	Present	
Tim Henney	Council Member	Present	
Cindy Matsumoto	Council Member	Present	
Dick Peek	Council Member	Present	
Liza Simpson	Council Member	Present	
Diane Foster	City Manager	Present	
Mark Harrington	City Attorney	Present	
Matt Dias	Assistant City Manager	Present	
Michelle Kellogg	City Recorder	Present	

III. PUBLIC INPUT (ANY MATTER OF CITY BUSINESS NOT SCHEDULED ON THE AGENDA)

Ann Futch stated she was a mountain runner and to have dogs tethered to her on this uneven trail was a safety issue.

Barb Fark stated she had a working dog that performed searches, and he needed space to train. She felt there were ways to make certifying dogs work, like reducing the licensing fees for certified dogs.

Ed Parigian stated he had never seen problems between dogs and people. He suggested that people practice being polite, and also that the City initiate sensitivity training for people and/or dogs.

Anne Brahic stated she had three dogs. She thought one of the great things about Park City was having dogs off-leash.

Sharon Christensen promoted the benefits of e-collars and expressed that dogs needed to run free.

Kristen LaPointe suggested splitting the trails and designating them as “for dogs” and “no dogs.” She also advocated for higher fines for the owners of non-complying dog owners.

Allison Yeary suggested that if trails were split, that only a minority of trails should prohibit dogs. She favored off-leash cross country runs as well, and requested to be on the task force if one was organized. She also suggested that dog owners and people that come across poorly behaved dogs should talk to the owners, because peer pressure worked in correcting behavior.

Carolyn Frankenburg stressed that the amount of trail given for dogs be commensurate with the support shown here tonight.

Adam Cole expressed that dog owners needed to be responsible and held accountable for their dogs.

Peter agreed that there should be higher penalties and fines for poorly behaved dogs.

Charlie Sturgis, Mountain Trails, stated Mountain Trails would be happy to help educate the public with regard to this issue.

Scott Rabin asked what the consequences were for dogs that bit people. He asserted that it was imperative to report it when a dog bites a person.

Toni Naples suggested using the Library Field as a dog park from 4:00 p.m.-6:00 p.m. daily.

Becca Gerber wanted to recognize Council Members Peek and Simpson, and thanked them for being role models and mentors over the years.

The **Work Session** was reopened in order for the Council to continue discussing the Animal Control issue.

Kim Carson thanked Council Members Peek and Simpson for their service.

Council Member Matsumoto asked for clarification on e-collars. It was indicated that in Summit County it was legal for a dog to have an e-collar as long as the owner was within the sight and calling distance of the dog, and the owner should carry a leash in

the event that it becomes necessary to leash the animal. Council Member Simpson stated that from the emails she had received, those scared of dogs were not in a small minority. She felt the City needed to make sure all residents were represented. With regard to leash length in the ordinance, she hoped people could use a flexible leash. It was noted that the current code indicated the leash should be no longer than six feet. Council Member Beerman was in favor of amending the code, and considering the adoption of the County's Animal Control ordinance long-term. He was not in favor of fencing Round Valley, but thought that area should be an off-leash area. He also suggested Library Field as an off-leash park. He hoped RAB could look at this issue and bring suggestions back to the Council in the spring.

Council Member Matsumoto indicated she would like to see pilot programs of areas, in addition to Round Valley and Library Field, which could be used as off-leash areas. Council Member Peek stated he agreed with Council Members Beerman and Matsumoto, and felt that dogs needed to be exercised. In response to the five questions that Deters mentioned above, Council Member Simpson responded affirmatively to them all. Council Member Henney agreed with the other Council members. He didn't want to limit the off-leash options to Round Valley and Library Field. He also wanted strict enforcement of leash laws at the trailheads, but thought that it might be wise to designate trails as "on-leash" trails and "off-leash" trails. He also favored imposing higher fines for offenders, especially for dogs that attacked people.

Carson stated the County didn't have authority to designate private property as off-leash areas, and some properties had conservation easements that could restrict off-leash dogs. With regard to trailheads, dogs had to be leashed 150 feet from the trailhead. Animal Control was focusing on trailheads and parks with increased enforcement. Also, fines had been increased for aggressive dogs. She noted that peer pressure worked and thanked Yeary for that comment. The officers needed help with dog owners that needed to be cited. Council Member Matsumoto asked if other areas in the County were being considered as off-leash parks. Carson stated they were always considering new trails. Bellamy stated the County ordinance allowed dogs to be sent to rescue if they had at least two incidents attacking people or other animals. Council Member Simpson thought there were many instances on trails where attacks had occurred, but those incidents were unreported because people didn't want the attacking dog to die or they were more concerned about helping their injured dog.

Mayor Thomas asked if there was a need for a task force. Council Member Peek stated a task force might be needed at a later date. Council Member Beerman was in favor of forming a task force and using RAB, but indicated he didn't need a decision from the task force by the January 7th meeting. He also felt the task force should be a longer term group, maybe even considering areas where no dogs would be allowed. Council Member Matsumoto suggested some decisions might be made by January 7th, but not all the decisions. Council Member Henney agreed with Council Members Matsumoto

and Beerman. Foster suggested bringing this item back to the next work session to discuss code changes, then moving to a pilot project, and then forming a task force.

II. Communications and Disclosures from Council and Staff

On behalf of the Public Safety Department, Chief Carpenter wanted to thank Council Members Peek and Simpson for all their support and hard work. He presented the Council members with a book and a card as a token of appreciation.

1. Manager's Report -- Community Solar II:

No comments were given with regard to this report.

2. Manager's Report -- Park City Transit 2015-2016 Winter Season Service Enhancements:

Blake Fannesbeck, Public Works Director, indicated that the Express Service was running, and stated that in the last 12 days, 877 people had ridden this line. He was excited about the needs being filled by this transit expansion.

3. Manager's Report --Sister City - Courchevel - Winter 2016 Update:

No comments were given with regard to this report.

IV. Consideration of Minutes

1. Consideration of a Request to Approve the City Council Meeting Minutes from November 19, 2015:

2. Consideration of a Request to Approve the City Council Meeting Minutes from December 3, 2015:

Council Member Peek stated he had some corrections that needed to be made to the minutes. He referred to Page 122 in the packet materials, Line 21, and requested that the board he attended was Friends of Farm, and animals should be deleted. Page 123 on Line 35 should indicate that he did want the area left alone. On Page 124, Line 9, he inquired about the parcel to the north of the parking lot and Twombly stated that it could be included. On Page 133, the third paragraph up from the bottom of the page stated a sidewalk could be helpful. Council Member Peek stated a children's park could be included in that area, not the sidewalk. On Page 140, the last sentence in the first paragraph, "land use" should be added to the sentence that mentioned being tied to the approval.

Council Member Henney also had a correction on Page 122, Line 8, noting that Matt Cassel should have been credited for the lighting.

Council Member Simpson moved to approve the City Council Meeting minutes from December 3, 2015, with the aforementioned amendments. Dick Peek seconded the motion.

RESULT:	APPROVED
AYES:	Council Members Beerman, Henney, Matsumoto, Peek, and Simpson

V. Consent Agenda

1. Approve Local Consent for Special Event Temporary Alcoholic Beverage Licenses During the 2016 Sundance Film Festival:

2. Council Approval of Type 2 Convention Sales Licenses:

3. Authorize the City Manager to Execute a Lease Equipment Agreement, in a Form Approved by the City Attorney, with Intuitech, Inc., for Judge and Spiro Tunnels Mining-Influenced-Water Treatment Evaluation Phase IB-2 Pilot-Scale Testing Equipment in an Amount Not to Exceed \$93,600:

Council Member Simpson moved to approve the Consent Agenda. Council Member Henney seconded the motion.

RESULT:	APPROVED
AYES:	Council Members Beerman, Henney, Matsumoto, Peek, and Simpson

The **Public Input** portion of the meeting was reopened to accommodate a request to speak to the Council:

Mike Sweeney updated the Council on street preparations for the Sundance Film Festival. He stated that this year administering liquor licenses was processed differently than last year. An applicant had to have a business license before getting a liquor license. Staff had worked hard to accommodate business owners. But with respect to how the City was dealing with business licenses, there were people that would not be able to apply because they were waiting for certificates. He indicated that vendors were not sure of what they could and couldn't do, and he hoped the City could adjust this process in the future. All in all, he thought things were going well.

VI. New Business:

1. Consideration of Ordinance 15-53, an Ordinance Amending the Land Management Code Section 15, Modifications to 15-1-8, Appeal Process in 15-1-18, the Notice Matrix, as Outlined in LMC Chapter 15-1-21, as Well as the Purposes of

the Historic Preservation Board (HPB), Park City Historic Sites Inventory, Relocation And/Or Reorientation of a Historic Building or Historic Structure, Disassembly and Reassembly of a Historic Building or Historic Structure, Reconstruction of an Existing Historic Building or Historic Structure and Adding a Material Deconstruction Review Process as Outlined in LMC Chapter 15-11 and Definitions in Chapter 15-15:

Anya Grahn, Bruce Erickson, and Hannah Turpen, Planning Department, presented this topic. They explained changes made to the LMC code. Council Member Matsumoto asked if the historic structure would not be allowed to be demolished if a homeowner received a grant. Grahn stated that was correct because a preservation easement would be given as a condition of receiving the grant.

Grahn indicated a new addition to the code was included, Material Deconstruction Review Process, where an application would be required, and the Historic Preservation Board (HPB) would review any site that was involved in renovation. She reviewed further changes with regard to the panelization and reconstruction process and the appeal process.

Mayor Thomas opened the meeting for public comment.

Craig Elliott, architect, stated his business had done preservation work for over 30 historic buildings in the area. He expressed concern with a component of the proposed code that would take buildings from other locations, move them into the historic district and then deem them historic. He thought this language would potentially be problematic for the City as well as the property owner. Another part was the deconstruction portion of the code. He thought if a small deconstruction project, such as taking out windows or removing an addition, went through the HPB, it would take at least two months. He could understand having the process in place for demolishing an entire home, but was concerned that many small projects would be delayed because of this addition to the code. This would affect the property owners and City, and would impact Main Street or a neighborhood because of the delays.

John Plunkett stated he had lived here with his wife for 25 years. They were part of the group that became concerned that historic buildings were being demolished, and indicated that this preservation ordinance was a good move. He expressed concern for the February, 2016, deadline for this ordinance and asked that the ordinance be passed tonight, and then the language could be improved later.

Graham Gilbert stated he was here on behalf of the owners of 569 Park Avenue. The owners wanted to propose a limited amendment to the ordinance to include a home (such as theirs), which was situated on two historic lots, that was delisted from the Historic Sites Inventory (HSI) by the HPB, would be exempt from the designation of significant or contributory. There could be an exception that if the property owner wanted to be listed, they would be able to. Gilbert felt that if the ordinance was passed

as currently written, the owners' constitutional rights would be violated and would constitute a taking.

Grahn stated the new language could make the process longer, taking more time to go through HPBR for material deconstruction, but hopefully the process could run congruently with the Historic District Design Review (HDDR). Also, just because a building was moved to the Historic District, didn't automatically mean it would be designated historic. The Board looked at the age of the building as to whether or not it met the criteria.

Bruce Erickson, Planning Director, noted that in working on current applications with the HPB and HDDR, no slowdowns were noticed, but slowdowns would occur when applications didn't meet the guidelines or if there were staffing issues.

Council Member Matsumoto felt comfortable that HPB, HPBR and the HDDR could review applications in a timely manner. Council Member Simpson asked if Planning could designate homes that were moved to the Historic District contributory instead of evaluating them as significant. She preferred that buildings not automatically be significant if they were 50 years old, but rather each structure should be reviewed on a case-by-case basis.

Council Member Peek stated if the building was over 50 years old and original to Park City, it should be designated significant. But if a building was imported from another location, a more thorough review should take place before designating the structure. Also with regard to material deconstruction, he asked if there would be a waiver for minor repairs. Grahn noted that if minor improvements were being made, a waiver could be given. Window change outs and dryer vent additions were examples given. HPB would be made aware of the changes so they could track those changes through their district. More discussion ensued on deconstruction, and a request was made to insert "Material Deconstruction" as a definition.

Council Member Matsumoto asked if 569 Park Avenue was significant. Grahn indicated it was significant, so it could not be demolished. Council Member Peek stated he was in favor of moving buildings. He referred to Page 184 of the packet, under the definition "Continuity." He thought rock walls were part of the continuity in the City and not just a landscape feature. He also noted that on Page 395 there was a typographical error on the second line of Section 15-15-1.67.

Foster asked how the code change would affect the old train depot if someone ever decided to move it back to Echo. Grahn stated the code would allow a move within the City limits if it was deemed significant, and noted exceptions that would allow it to move back to its original location. Erickson stated the reason for protecting homes moved into the City was that there was a determination that the structure contributed to the look and feel of the district.

Council Member Matsumoto thought a house should be deemed significant, and then it could have the opportunity to go to the HPB to be put down as contributory. Foster stated the intent of the code change was to protect buildings that were truly part of the City's historic fabric. She asked the Council to consider deeming the structure as contributory first. Council Member Simpson clarified that she favored automatically listing buildings that had been moved here from out of the area as contributory. Council Member Peek and Mayor Thomas indicated they didn't want to dilute the code. Council Member Simpson felt her suggestion would enhance the code rather than dilute it. Council Member Beerman stated he was fine with moving the contributory portion or pulling out the contributory portion of the proposed code and bringing back an amended form in January.

Grahn indicated there was a supplemental ordinance in the staff report with modification to strike the contributory language. Harrington explained the options for adopting the code, and addressed concerns from the owners of 569 Park Avenue.

Council Member Simpson moved to approve Ordinance 15-53, an ordinance amending the Land Management Code Section 15, Modifications to 15-1-8, Appeal Process in 15-1-18, the Notice Matrix, as outlined in LMC Chapter 15-1-21, as well as the Purposes of the Historic Preservation Board (HPB), Park City Historic Sites Inventory, Relocation and/or Reorientation of a Historic Building or Historic Structure, Disassembly and Reassembly of a Historic Building or Historic Structure, Reconstruction of an Existing Historic Building or Historic Structure and Adding a Material Deconstruction Review Process as outlined in LMC Chapter 15-11 and Definitions in Chapter 15-15 with the amendments of deleting the language in Section 15-11-10-A2a, correcting the typographical error in Section 15-15-1.67 (Page 395 in the packet materials) and adding rock walls to the "continuity" definition. Council Member Peek seconded the motion.

RESULT: APPROVED

AYES: Council Members Beerman, Henney, Matsumoto, Peek, and Simpson

VII. Adjournment

With no further business, the meeting was adjourned.

Michelle Kellogg, Park City Recorder